

United States District Court  
Western District of Washington

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CLYDE RAYMOND SPENCER

Petitioner,

vs.

JOSEPH KLAUSER, Warder, Idaho State  
Institution,

Respondent.

Case No.

C94-5238 RJB

**DEPOSITION OF JAMES MATTHEW PETERS**

July 30, 1996

Reported by  
Jodi C. Williams

**ORIGINAL**

**PLAINTIFF'S  
EXHIBIT**

THE COURT REPORTERS  
**TUCKER**  
AND ASSOCIATES

208-345-3704 • 1-800-424-2354

Fax 208-245-3713

605 WEST FORT STREET

P.O. BOX 1625 • BOISE, ID 83701

Home Page: <http://www.webfactor.com/tucker/>

E-Mail: [tucker@mccl.net](mailto:tucker@mccl.net)

1 I remember one dramatically. It was a  
2 doctor from Kaiser who had taken a photograph of a  
3 gaping rectum of a girl who was about eight who had  
4 been subjected to chronic penetration with a  
5 foreign object by her mother and brother. And I  
6 remember that one clearly because the photo was so  
7 dramatic.

8 No others immediately jump out.

9 Q. Focussing your attention on the Spencer  
10 case, do you recall the types of allegations that  
11 the female victim, Kathryn Spencer, was making?

12 A. No.

13 Q. Do you recall the types of sexual abuse  
14 that she was alleging?

15 A. No.

16 Q. Were you ever involved in an interview  
17 with her?

18 A. I believe I was in the presence of a  
19 defense attorney in Sacramento.

20 Q. You indicated earlier that when the only  
21 victim was Kathryn Spencer, upon your initial  
22 review of the case, you believed the case wasn't  
23 provable. Do you recall why you thought that?

24 A. No. Probably the absence of  
25 corroboration or -- I just don't remember. If I

## REPORTER'S CERTIFICATE

STATE OF IDAHO

)

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ss.

County of Ada

)

I, Jodi C. Williams, a Notary Public in and for the State of Idaho,  
do hereby certify:

That prior to being examined, the witness named in the fore-  
going deposition was by me duly sworn to testify the truth, the whole truth,  
and nothing but the truth;

That said deposition was taken down by me in shorthand at  
the time and place therein named and thereafter reduced to typewriting  
under my direction, and that the foregoing transcript contains a full, true,  
and verbatim record of the said deposition.

I further certify that I have no interest in the event of the  
action.

WITNESS my hand and seal this 12<sup>th</sup> day of

August, 1996.

Jodi C. Williams

NOTARY PUBLIC in and for the State of Idaho;  
residing at Mountain Home, Idaho.

My commission expires 2-7-2001.